

THE STATE'S INITIAL BARGAINING POSITION FOR THE COLLECTIVE BARGAINING
AGREEMENT WITH AFSCME FOR 2013-2015

The State proposes the changes listed below to the 2011-2013 collective bargaining agreement.

1. Article II, Section 2C, page 3.

Dues checkoff language in the contract does not currently comply with Iowa Code Sections 20.9 and 70A.19. The current contract illegally limits when an employee may terminate dues checkoff. This section is being rewritten to comply with the law which provides that employees have the right to terminate dues checkoff upon thirty (30) days' written notice one year after agreeing to have dues deducted from their paycheck. Employees should be provided with notice of their termination rights at the time of their election to deduct dues from their paycheck and the termination rights should be stated on their dues checkoff authorization cards.

2. Article IV, Section 2C, page 17; Article IV, Section 14, pages 26-29; Appendix M, page 182 and Appendix S; page 196.

Delete the Grievance Resolution Improvement Process (GRIP) in its entirety from the contract. These meetings are unproductive, costly, and have not helped the settlement process.

3. Article VI, Section 2H, page 34.

Eliminate the third bumping option from the layoff process, which is the option to bump to an equal or lower classification in the layoff unit for which an employee meets the minimum qualifications of the job. Even with this elimination, employees will continue to have the option to bump into a position in a lower classification in the same series in the layoff unit, or, in the absence of a lower classification in the same series, to a formerly held classification in the layoff unit. The third option is difficult to administer and thus causes the layoff process to be lengthy and problematic for both management and employees.

4. Article VI, Section 2H, pages 34-37.

The layoff procedure is being revised to require that an employee meet the following criteria prior to exercising their bumping rights: a) must have received an overall rating of meets expectations or above on their most recent performance evaluation, b) must not have received a disciplinary suspension within the last twelve (12) months and c) must not have received a written reprimand within the last six (6) months. These criteria will allow management to effectively retain employees who perform their jobs in a satisfactory manner and have not had a disciplinary infraction.

5. Article VII, Section 1, pages 39-40.

The transfer procedure is being revised to require that an employee meet the following criteria prior to exercising their transfer rights: a) must have received an overall rating of meets expectations or above on their most recent performance evaluation, b) must not have received a disciplinary suspension within the last twelve (12) months and c) must not have received a written reprimand within the last six (6) months. These criteria will allow management to effectively staff vacant positions with employees who perform their jobs in a satisfactory manner and have not had a disciplinary infraction.

6. Article IX, Section 1A-1D, page 56-58.

Eliminate the across-the-board increase in wages for both years of the contract. The State's consultant,

Aon Hewitt, has determined that base compensation for State of Iowa employees exceeds base compensation for employees of other states.

7. Article IX, Section 1A-1D, page 56-58.

Eliminate the within-range step increases for both years of the contract. Aon Hewitt has determined that base compensation for State of Iowa employees exceeds base compensation for employees of other states. Additionally, add language to require that an employee meet the following criteria in order to be eligible for a within-range step: a) must have received an overall rating of meets expectations or above on their most recent performance evaluation, b) must not have received a disciplinary suspension within the last twelve (12) months and c) must not have received a written reprimand within the last six (6) months. These criteria will allow management to effectively differentiate compensation for employees who perform their jobs in a satisfactory manner and have not had a disciplinary infraction.

8. Article IX, Section 1E, page 58.

This language is being rewritten to reflect that employees being moved to a higher classification will have their pay increased to the minimum of the new pay range if their current salary is less than the minimum. Additionally, the revised language will state that employees who are currently paid above the minimum salary will maintain their actual salary within the new pay grade. The current language, which requires that the salary of employees placed into higher classifications stay at the same percentage above the minimum, leads to inequity in compensation and stifles promotions.

9. Article IX, Section 1F, page 58.

Delete this language in its entirety. Employees brought into a bargaining unit should be compensated at the same level as other employees in the bargaining unit. The current language leads to inequity in compensation of employees doing the same work.

10. Article IX Section 4, pages 60-63.

Modify the State's health insurance program in order to align it with the market, in accordance with the recommendations of Aon Hewitt. The State will contribute eighty percent (80%) toward any plan and coverage level selected by the employee; the employee will contribute twenty percent (20%). Employees will also be offered a comprehensive wellness program including, but not limited to, a health risk assessment, biometric screening, and engagement activities, as applicable. Employees who successfully complete the prescribed components of the wellness program will receive an annual premium differential of \$360. This incentive program allows employees to pay \$360 less per year for their healthcare premium. The primary plan design components of the proposed health insurance program are shown in EXHIBIT A.

11. Article IX, Section 5A-5C, pages 63-64.

Modify the State's dental insurance program in order to align it with market, in accordance with the recommendations of Aon Hewitt. The State will contribute eighty percent (80%) of the total premium; the employee will contribute twenty percent (20%) of the total premium. The dental insurance program will also be revised to include a \$50.00 deductible for employees and a \$150 deductible for employees and their dependents; the deductible will apply to all non-preventative services. The primary plan design components of the proposed dental insurance program are shown in EXHIBIT A.

12. Article IX, Section 7, pages 65-66.

Consistent with Aon Hewitt's market alignment recommendations, the State's basic life insurance offering to employees will be increased in accordance with the following schedule:

Age	Basic	AD & D
Under 65	\$50,000	\$50,000
Age 65-69	\$33,000	\$33,000
Age 70-74	\$20,750	\$20,750
Age 75 and over	\$14,250	\$14,250

13. Article IX, Section 12A, page 77.

Delete the four (4) additional holidays for field staff. These employees are eligible for overtime and thus these four (4) additional holidays are no longer necessary.

14. Article X, Sections 3D, pages 85-86.

Delete the subsection, Medical Leave of Absence, in its entirety. Employees are entitled to leave under the Family Medical Leave Act (FMLA). The leave requirements in this subsection are difficult to administer and create unreasonable staffing challenges for management.

15. Cancel all pilot programs.

16. Cancel all Memorandums of Understanding (MOUs) not contained within the collective bargaining agreement.

17. Delete the following language from the collective bargaining agreement as it concerns permissive subjects which the State need not negotiate in accordance with Iowa Code Section 20.9:

a. Article II, Section 2A, pages 2-3, regarding deductions for Union Insurance Programs. Union Insurance is not in the list of items in Iowa Code Section 20.9.

b. Article II, Section 2H, page 5, regarding deductions for PEOPLE which is a political action committee. Iowa Code Section 20.26 provides that employee organizations are prohibited from directly or indirectly contributing to any political party or organization.

c. Article II, Section 12, pages 12-13, regarding new employee orientation. Employee orientation is not in the list of items in Iowa Code Section 20.9 and is a management right.

d. Article IV, Section 9, paragraph 3, page 23, starting with the sentence: (See Appendix K for discipline related to attendance). Discipline of employees is not in the list of items in Iowa Code Section 20.9 and is a management right.

e. Article VI, Section 2B, paragraph 3, page 33, delete the second sentence. While procedures for reduction in force are mandatory, management has the right to determine organizational units. The collective bargaining agreement should not restrict that right.

f. Article VI, Section 2C, page 33, concerning the layoff of non-permanent employees outside of the bargaining unit. *See UEW v. PERB*, 810 NW 2d 24 (IA Ct. of App. 2011).

g. Article VI, Section 3B, page 37-38, concerning the layoff of non-permanent employees outside of the bargaining unit. *See UEW v. PERB*, 810 NW 2d 24 (IA Ct. of App. 2011).

h. Article IX, Section 3D, page 59-60, concerning the utilization of the surplus fund. The utilization of a surplus fund is not in the list of items in Iowa Code Section 20.9.

i. Article XI, Section 12, page 94-95, concerning contracting out work. Outsourcing is not in the list of items in Iowa Code Section 20.9.

j. Article XI, Section 15, pages 96-97 (and all other locations in the collective bargaining agreement) concerning Labor/Management Meetings. Mandatory meetings concerning labor are not in the list of items in Iowa Code Section 20.9. This deletion does not include Health and Safety Committee meetings.

k. Appendix C-1, pages 143-144, concerning Health Benefit Review Committee Meetings. Mandatory meetings concerning health benefits are not in the list of items in Iowa Code Section 20.9.

l. Appendix K, page 178, concerning attendance policies. Attendance is not in the list of items in Iowa Code Section 20.9.

m. Appendix M, Section A1, page 181, concerning monthly lists of confidential employees. Lists of confidential employees are not in the list of items in Iowa Code Section 20.9.

n. Appendix U, pages 212-216, Memorandums of Understanding #1 (Upward Mobility), #2 (Recruitment for Healthcare Professionals), #4 (Minimizing Mandatory Overtime), #5 (Second Shift Differential ASP and ISP), #6 (Job Evaluation), #7 (Union Security Provisions), and #8 (DAS-GSE Clothing and Uniforms).

Edits to the collective bargaining agreement to correct scrivener's errors, antiquated terminology, and dates may be made at the conclusion of negotiations, if agreed to by both the State and AFSCME.